

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

ALEX WOLINSKI,

Plaintiff,

v.

NEWSWEEK MEDIA GROUP, LTD. a
A Delaware Corporation,

Defendant,

NO.

JURY DEMAND

COMPLAINT AT LAW

NOW COMES the Plaintiff, ALEX WOLINSKI, by and through her attorneys, THE LAW OFFICES OF TIM BIASIELLO, complaining of the Defendant, NEWSWEEK MEDIA GROUP, LTD. and in furtherance thereof, states as follows:

INTRODUCTION

This action for defamation arises out of online reporting by Newsweek Media Group, Ltd. that included false and defamatory statements against the Plaintiff Alex Wolinski.

PARTIES

1. Alex Wolinski (hereinafter referred to as "WOLINSKI") resides in the City of Chicago, County of Cook, and the State of Illinois.
2. Newsweek Media Group, Ltd. d/b/a Newsweek, which maintains headquarters at 7 Hanover Square, New York, New York, 1004 publishes a weekly magazine known as *Newsweek*.
3. Newsweek Media Group, Ltd. transacts business in the State of Illinois, including the dissemination of its publications by way of the Internet, and the distribution of magazines throughout the State of Illinois.

JURISDICTION

4. There exists complete diversity of citizenship between Plaintiff and Newsweek Media Group, Inc.

5. This Court has subject-matter jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a).

6. The amount in controversy greatly exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interests, costs, and attorneys' fees, as required to sustain subject-matter jurisdiction in this Court.

VENUE

7. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because Newsweek Media Group, Ltd. is subject to personal jurisdiction in this District as a substantial part of the events giving rise to this claim occurred in this District, including publication and injury.

8. Newsweek Media Group, Ltd. published its online articles identified herein in the Northern District of the State of Illinois.

9. Newsweek Media Group, Ltd. directed its conduct at WOLINSKI, a resident of the Northern District of the State of Illinois.

10. WOLINSKI has suffered substantial and perpetual reputational, emotional and financial harm in the Northern District of Illinois.

11. There is a reasonable and direct nexus between Newsweek Media Group's tortious conduct in the Northern District of Illinois and the harm suffered by WOLINSKI in the Northern District of Illinois and beyond.

BACKGROUND

12. The Newsweek Media Group, Ltd.'s publication, *Newsweek*, reaches more than 30 million people each month with news, opinion, images, graphics and video delivered across a dozen print and digital platforms

FACTUAL BACKGROUND

13. At all times alleged herein, WOLINSKI was employed by the City of Chicago, Department of Police in the rank of Sergeant.

14. On February 21, 2019, WOLINSKI was the supervising officer of a Chicago Police Department tactical team that was charged with the duty of executing a search warrant on a certain residence in the City of Chicago.

15. In addition to WOLINSKI, that tactical team consisted of twelve other officers of the Chicago Police Department.

16. The tactical team executed the search warrant on that certain residence at approximately 7:00 PM on February 21, 2019.

17. Upon entry into the residence, the officers encountered the female resident of the premises naked in the kitchen area of the home.

18. Within seconds of their entry, an officer of the Chicago police department procured an item of clothing, and immediately draped it over the female occupant at the direction of Sergeant WOLINSKI. A few seconds later, an officer of the Chicago police department procured a large blanket, and immediately wrapped it around the female occupant, covering her body at the direction of Sergeant WOLINSKI.

19. Ultimately, the information provided by the informant was not substantiated, and the officers recovered no evidence from the premises.

20. During the course of the execution of the search warrant at the said premises, multiple police officers were wearing body cameras, and multiple separate recordings of the events described in paragraphs 16-18 were captured by those various devices.

21. Subsequent to the incident, the occupant of the residence made a claim against the City of Chicago for damages.

22. The City of Chicago ultimately settled that claim for 2.9 million dollars in or around December of 2021.

23. On January 22, 2022, Newsweek Media Group, Ltd. published an article relating to alleged police misconduct by WOLINSKI and by the officers he supervised in the execution of that search warrant, as well as information regarding the subsequent settlement the female occupant of the residence reached with the City of Chicago.

24. In that article, Newsweek Media Group, Ltd. published information that purportedly described what was depicted on the body camera videos worn by the Chicago Police officers during the execution of the search warrant.

25. In that article, Newsweek Media Group, Ltd. cites to a recommendation by the Civilian Office of Police Accountability that supervising officer, Sergeant Alex Wolinski be suspended for a year with the possibility of 'separation from the department'.

26. The article then included the statement that:

"Body camera footage from that night shows police breaking down Young's door while she was in the middle of undressing. She is seen handcuffed naked for about 17 minutes and is heard repeatedly telling officers they were at the wrong address."

CAUSE OF ACTION FOR DEFAMATION

COUNT I

**NEWSWEEK PUBLISHED ITS ARTICLE
WITH MALICE AND WITH A RECKLESS DISREGARD
FOR THE TRUTH OF THE MATTER**

27. Newsweek Media Group, Ltd.'s statement that the female occupant of the residence was "seen handcuffed naked for about 17 minutes" was a false statement.

28. This statement inferred that WOLINSKI lacked integrity in the discharge of duties of as a police officer, and that he had a conscious and intentional disregard for the dignity of the female occupant of the residence.

29. Newsweek Media Group, Ltd.'s reporting that the occupant was "seen handcuffed naked for about 17 minutes" was a precise statement of fact, the truth of which, could have easily been verified.

30. Newsweek Media Group, Ltd.'s article, in itself, asserts that the information that Newsweek Media Group, Ltd. included within its article was derived from "body camera footage from that night which shows" the conduct by police and the occupant during the execution of the search warrant.

31. Newsweek Media Group, Ltd.'s review of the body camera footage of the events that occurred during the course of the execution of the search warrant provided Newsweek with actual knowledge that the occupant was only naked in her residence, for a few seconds while in the presence of the Chicago Police officers, subsequent to their entry into the residence.

32. The statement that the female occupant was standing naked in front of thirteen male police officers for SEVENTEEN minutes has a precise meaning that is easily understood.

33. The truth, or lack of truth, of the statement that Newsweek Media Group, Ltd. chose to include within its article, was easily verified through a review of the body camera footage.

34. The assertion that the female occupant was compelled to stand naked in front of thirteen male police officers for SEVENTEEN minutes is a significant deviation from the truth of what actually occurred, and a substantial deviation from the truth that was actually known by Newsweek Media Group, Lt.

35. In the context of the Newsweek Group Ltd.'s article reporting upon alleged police misconduct, the assertion is intentionally misleading, and manifests an intention to infer that Sergeant WOLINSKI was unfit to perform his duties as a police officer, and to infer that WOLINSKI had a conscious and intentional disregard for the dignity of females for whose benefit he served.

36. Newsweek Group, Ltd. consciously disregarded the rights of WOLINSKI, by publishing false and defamatory accusations against him, notwithstanding its actual knowledge of the its falsity.

37. Newsweek Group, Ltd. disregarded the truth of the incident in the article it published in order to sensationalize the story to make it appealing to its audience, at the expense of WOLINSKI.

38. As a result of the wrongful conduct of Newsweek Group, Ltd., WOLINSKI suffered injury to his reputation, emotional distress, loss of economic opportunity, and economic loss.

39. Newsweek Group, Ltd.'s conduct was outrageous and willful, and manifested a wanton lack of care, and conscious indifference of the consequences of its publication to WOLINSKI.

40. Newsweek Group, Ltd. published its false and defamatory accusations with actual malice and common law malice, thereby entitling WOLINSKI to an award of punitive damages.

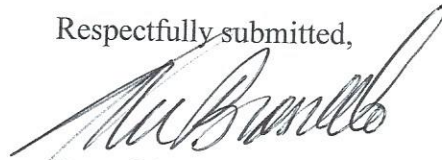
WHEREFORE, WOLINSKI respectfully prays:

(a) That judgment be entered against Newsweek Media Group, Ltd. for substantial compensatory damages in an amount not less than Five Million Dollars (\$5,000,000.00);

(b) That judgment be entered against Newsweek Media Group, Ltd. for punitive damages in an amount not less than Five Million Dollars (\$5,000,000.00);

(c) That the Court grant all such other and further relief that the Court deems just and proper, including equitable relief.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Biaseello', written over a horizontal line.

One of the Attorneys for the Plaintiff

LAW OFFICES OF TIM BIASIELLO
617 West Devon Avenue
Park Ridge, Illinois 60068
847-825-7744
Attorney #0204501
timbslo@yahoo.com

PLAINTIFF DEMANDS A TRIAL BY JURY

6/28/22, 10:08 PM

Woman in Botched Police Raid Says She'd Prefer Officers Fired Over \$2.9M Settlement

SUBSCRIBE FOR \$1 >

Search
U.S.
World
Tech & Science
Culture
Autos
Rankings
Health
Life
Opinion
Experts
Education
Podcasts
Vantage

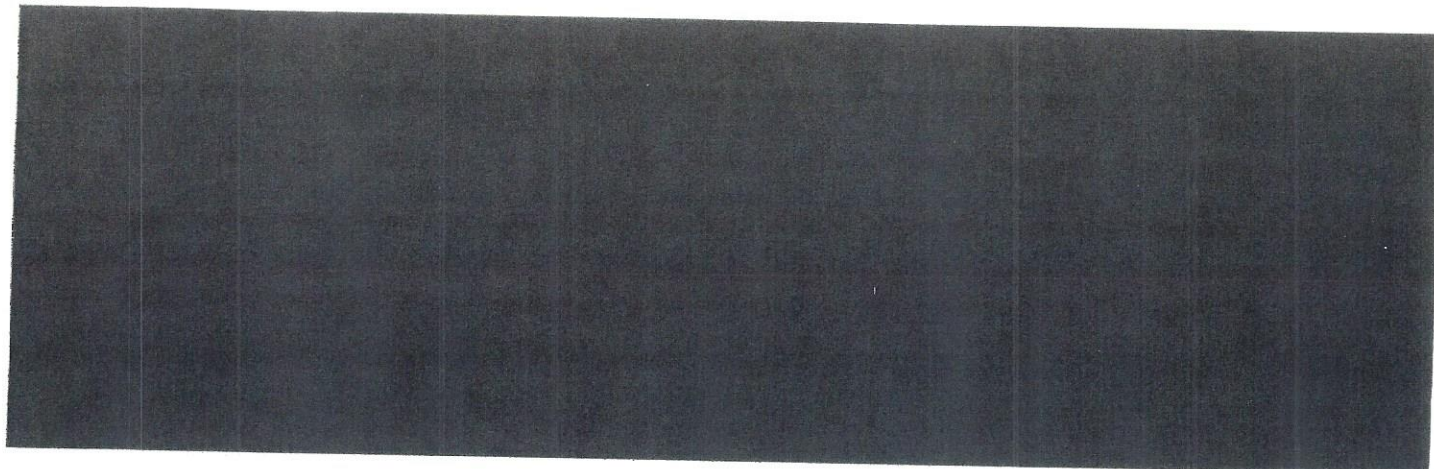
NEWS

Woman in Botched Police Raid Says She'd Prefer Officers Fired Over \$2.9M Settlement

BY **KATHERINE FUNG** ON 1/21/22 AT 3:39 PM EST

EXHIBIT "A"

SUBSCRIBE FOR \$1 >



NEWS

CHICAGO

CHICAGO POLICE

LORI LIGHTFOOT

ARREST



Listen to this article now

Powered by **Trinity Audio**

00:00

1.0x

03:53

Anjanette Young, the Chicago woman who was strip-searched and handcuffed naked during a botched police raid, received a \$2.9 million settlement from the city last month, but she said she would have rather seen the firing of the officers involved than have received a single dime.

"The money is not justice and I never went into this—when I started the legal proceedings, I never went in looking for money," Young told CBS' Gayle King on Friday. "When I hired my attorney, I immediately told him I wanted them all fired."

"I would have been more satisfied if all 12 officers had gotten fired and I didn't

x

SUBSCRIBE FOR \$1 >

In December, the Civilian Office of Police Accountability recommended that Sergeants Alex Wolinski and Cory Petracco should be suspended for a year with the possibility of "separation from the department."

NEWSWEEK NEWSLETTER SIGN-UP >

The office also recommended suspensions for six other officers ranging from one to 180 days.

The Chicago Police Department told *Newsweek* that Wolinski is currently on a no-pay status while the police board reviews his case and that the other officers involved are in the appeals process for the suspension recommendations.

X

6/28/22, 10:08 PM

Woman in Botched Police Raid Says She'd Prefer Officers Fired Over \$2.9M Settlement

READ MORE

- Email Shows Chicago Mayor Knew of Naked Social Worker Arrest Despite Claims
- Woman Handcuffed While Naked During Botched Raid to Get \$2.9M From Chicago
- Chicago Mayor Lori Lightfoot Proposes No-Knock Warrant Ban
- Lori Lightfoot Faces a Crisis of Credibility in Chicago

Young's first-floor apartment was raided by police in February 2019 after an officer obtained a search warrant based on a bad tip given to police.

NEWSWEEK SUBSCRIPTION OFFERS >

Body camera footage from that night shows police breaking down Young's door while she was in the middle of undressing. She is seen handcuffed naked for about 17 minutes and is heard repeatedly telling officers they were at the wrong address.

The accountability office found that "it also became apparent to the officers that the Target was not associated with the address" just minutes after Young was detained.

"The fact that I continued to ask if I could get dressed, I continued to ask them if I could call someone—what stands out to me most is that I was invisible to them because no one either responded to me saying, 'Yes you can get dressed later' or 'Let us finish this,' They just totally ignored me," Young told King.

"Watching that video is always hard because it just takes me back to that moment," she added. "I tell people that I didn't lose my life that night but I lost a lot of my life that night."